

LAW OFFICE OF JAY R. YABLON

Patent · Trademark · Copyright · Trade Secret · Licensing

910 Northumberland Drive
Schenectady, New York 12309
Tel/Fax: 518-377-6737
Email: jyablon@nycap.rr.com

FACSIMILE COVER PAGE

To: Jiping Lu	From: Jay R. Yablon
Fax #: 17037464565	Fax #: 518-377-6737
Company: USPTO Art Unit 3749	Tel #: 518-377-6737
Subject: Copy of IDS filed with issue fee for 10/070,293	
Sent: 3/7/2004 at 2:37:58 PM	Pages: 16 (including cover)

MESSAGE:

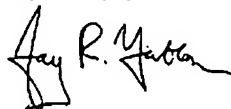
Dear Examiner Lu:

As discussed, I attach the fourteen (14) pages I filed by facsimile to USPTO BOX ISSUE FEE on January 16, 2004, which included the information disclosure of a reference that had come to applicants' attention shortly before paying the issue fee. This includes the \$180 fee required under 37 CFR 1.17(p).

Also attached on the final sheet is a copy of the RightFAX receipt confirming receipt of all of these fourteen (14) pages on January 16, 2004.

I would appreciate if you could make sure this new reference is considered prior to issuing the patent.

Very truly yours,



Jay R. Yablon, Registration # 30604

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office Fax Number 17037464565 on the transmission date of 3/7/2004, pursuant to 37 C.F.R. 1.8

Name of person signing this certificate: Jay R. Yablon



(signature)

USPTO 1/16/2004 3:37 PM PAGE 1/001 Fax Server
 TO:Auto-reply fax to 518-377-6737 COMPANY:

Auto-Reply Facsimile Transmission



TO: Fax Sender at 518-377-6737

Fax Information

Date Received: 1/16/2004 3:29:55 PM [Eastern Standard Time]

Total Pages: 14 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

=====>

518-377-6737 From: Jay R. Yablon To: USPTO Box ISSUE FEE of USPTO		Date: 1/16/2004 Time: 3:30:04 PM	Page 1 of 14
ZILKOPRONAL			
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE			
Serial Number:	10076223		
Filing Date:	March 5, 2002		
Applicant(s):	Zilla et al.		
Title:	Device, System and Method for On-Line Explosive Denegging		
Group Art Unit:	3749		
Reaminder:	Jiping Lu		
Information Disclosure Statement and Invention Disclosure Statement			
Commissioner for Patents P.O. Box 1410 Alexandria, VA 22313-1410			
Dear Sir:			
<p>Attached is a completed substitute form PTO-1450A (1 sheet patent document), the foreign patent reference cited therein, and an English language translation thereof. This is being submitted simultaneously with the payment of the issue fee, and is processed by the provisions of MPEP 609.01(a)(2). Attached also is the issue fee transmittal (part II), and a credit card payment form for \$645, consisting of the \$645 issue fee plus the \$180 fee for submission of an Information Disclosure Statement set forth in 37 CFR 1.77(d).</p> <p>Pursuant to 37 CFR 1.97(c)(2), I hereby certify and declare that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(e) more than three months prior to the filing of this statement.</p> <p>The reference disclosed herein, JP H4-155200A, dated May 22, 1991, recites a cooled explosive tube very similar to those disclosed in US 2,840,365 issued June 24, 1959 and in LE 11977 published August 30, 1968, each of which are already of record in this case, and each of which is discussed extensively in the applicant's disclosure. Indeed, if one compares Figures 2 and 3 of JP H4-155200A with the drawings of US 2,840,365 and LE 11977, it is apparent that JP H4-155200A is little more than an attempt to improve on these earlier cooling tubes. JP H4-155200A, similarly to US 2,840,365 and LE 11977, is a fixed-position, non-movable cooling tube that is "set at a predetermined place." It does not disclose or suggest or control applicant's claimed invention for any of the same reasons set forth in applicant's disclosure vis-a-vis US 2,840,365 and LE 11977.</p> <p>Applicant therefore looks forward to receiving confirmation of the consideration of this reference by examiner Lu, and to the issuance of a patent over this reference soon thereafter.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made as information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>Very truly yours,</p> <p><i>J. R. Yablon</i></p> <p>Jay R. Yablon Registration # 36604</p>			
CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8			
<p>I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office Fax Number 703-776-4000 on the transmission date of <u>January 16, 2004</u> pursuant to 37 CFR 1.8.</p> <p>Name of Person signing this certificate: <u>Jay R. Yablon</u></p> <p><i>J. R. Yablon</i></p> <p>(signature)</p>			
PAGE 1/14 * RCVD AT 3/7/2004 2:38:01 PM * SVR:USPTO-EPXRF-4/14 * DNIS:7464585 * CSID:518-377-6737 * DURATION (mm-ss):07-38			

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

27949 7590 10/20/2003

LAW OFFICE OF JAY R. YABLON
910 NORTHUMBERLAND DRIVE
SCHENECTADY, NY 12309-2814

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Jay R. Yablon	(Depositor's name)
<i>Jay R. Yablon</i>	(Signature)
January 16, 2004	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,293	03/05/2002	Francis Zilka	ZILKP008NAT	4336

TITLE OF INVENTION: DEVICE, SYSTEM AND METHOD FOR ON-LINE EXPLOSIVE DESLAGGING

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$0	\$665	01/20/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
LU, JIPING	3749	122-379000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Jay R. Yablon

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

NorthAmerican Industrial Services, Inc.

Ballston Spa, New York

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

Jay R. Yablon

(Date)

January 16, 2004

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

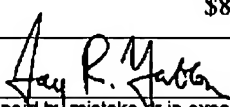
PTO-2038 (02-2003)

Approved for use through 02/28/2006. OMB 0651-0043

United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

United States Patent and Trademark Office**Credit Card Payment Form****Please Read Instructions before Completing this Form**

Credit Card Information			
Credit Card Type: <input checked="" type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/> American Express <input type="checkbox"/> Discover			
Credit Card Account #: [REDACTED]			
Credit Card Expiration Date: [REDACTED]			
Name as it Appears on Credit Card: JAY R YABLON			
Payment Amount: \$ (US Dollars): \$845			
Cardholder Signature: 		Date: January 16, 2004	
<small>Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The office will not refund amounts of \$25.00 or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR § 1.26). Refund of a fee paid by credit card will be issued as a credit to the credit card account to which the fee was charged.</small>			
<small>Service Charge: There is a \$50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR § 1.21 (m)).</small>			
Credit Card Billing Address			
Street Address 1: 910 Northumberland Drive			
Street Address 2:			
City: Schenectady			
State/Province: New York		Zip/Postal Code: 12309-2814	
Country: US			
Daytime Phone #: 518-377-6737		Fax #: 518-377-6737	
Request and Payment Information			
Description of Request and Payment Information: Issue Fee \$665; Information disclosure fee, 37 CFR 1.17(p), \$180			
<input checked="" type="checkbox"/> Patent Fee	<input type="checkbox"/> Patent Maintenance Fee	<input type="checkbox"/> Trademark Fee	<input type="checkbox"/> Other Fee
Application No. 10/070,293	Application No.	Application No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. ZILKP008NAT		Identify or Describe Mark	

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form, the United States Patent and Trademark Office will not be liable in the event that the credit card number becomes public knowledge.